Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/741,065	KIMOTO, TAKAHIRO
		Examiner	Art Unit	
		Richard Lee	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 October 2004</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-66</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) <u>1-60</u> is/are allowed.

6) ☒ Claim(s) <u>61-66</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   The request filed on October 28, 2004 for a Request for Continued Examination (RCE) is

acceptable and a RCE has been established. An action on the RCE follows.

2.   The applicant's arguments from the amendment filed September 17, 2004 have been

noted and considered, but are deemed moot in view of the following new grounds of rejections.

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

4.   Claims 61-66 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with

the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant

art that the inventor(s), at the time the application was filed, had possession of the claimed

invention.

The particular features of "judging means for judging whether each of said plurality of

decoded block data units to which said error portion corresponds is decoded normally or not; and

error concealing means for error concealing said decoded block data units judged by said judging

means if said decoded block data units are judged not to be decoded normally" as claimed in

claim 61; "judging whether each of said plurality of decoded block data units to which said error

portion corresponds is decoded normally or not; and error concealing said decoded block data

units judged by said judging step if said decoded block data units are judged not to be decoded

normally" as claimed in claims 62 and 63, respectively; "judging means for judging whether said

region to which said error portion corresponds is decoded normally or not; and error concealing

means for error concealing said region to which said error portion corresponds if said region to

which said error portion corresponds is judged not to be decoded normally" as claimed in claim

64; and "judging whether said region to which said error portion corresponds is decoded

normally or not; and error concealing said region to which said error portion corresponds if said

region to which said error portion corresponds is judged not to be decoded normally" as claimed

in claims 65 and 66, respectively, are not supported by the Specification.

As best understood by the Examiner, the Specification discloses at most with respect to

Figure 3 of the drawings, for example, a video decoding device wherein error detection section

101 receives a coded video signal and judges whether or not an error has occurred to each

packet, and sends a judgment signal 1002 and packet 1001 to the packet partitioning section (see

pages 20-21 of the Specification). The packet partitioning section 102 sends address signals

1004 indicating addresses of blocks to which errors might have occurred to the first invalid block

judgment section 104 (see page 21 of the Specification). The first invalid block judgment

section 104 judges whether or not each block that has been stored in the frame memory 107 of

the video decoding section 103 and that is designated by the address signal 1004 is an invalid

block and sends a judgment signal 1011 indicating the result of the judgment to the first invalid

block concealment section 105 (see page 21 of the Specification). The first invalid block

concealment section 105 then conducts a concealment process with regard to the blocks that have

been stored in the frame memory 107 and that have been designated as invalid blocks by the

judgment signal 1011 supplied from the first invalid block judgment section 104 (see pages 21-

22 of the Specification). The second invalid block concealment section 108 receives an address

signal 1007 indicating addresses of invalid blocks from the block data decoding section 106 and

conducts concealment processes with regard to the blocks that have been stored in the frame

memory and that have been designated as invalid blocks by the address signal 1007 supplied

from the block data decoding section 106, wherein the block data decoding section 106 judges

that a block is invalid when the coded block data unit of the block is irregular data and the coded

block data unit can not be decoded normally (see pages 22-23 of the Specification). It is

therefore clear from these passages within the Specification that support is lacking for the

judging means/steps and error concealing means/steps specifics as claimed in claims 61-66.

It is noted that the applicant at page 29 of the amendment filed September 17, 2004

indicates that page 27, lines 27-30 of the Specification provides adequate support for claims 61-

63. The Examiner however disagrees for the following reasons. Page 27, lines 27-30 of the

Specification teaches that "an invalid block judgment process is limited to the blocks in which

errors might have occurred, that is blocks which were contained in the packets in which errors

have been detected by the error detection section". The applicant somehow draws the

conclusion from this passage that "Thus, an error detection section first detection section first

detects whether or not a packet (and thus the coded block data units making up the packet) has an

error in it. If there is an error in the packet, then each of the coded block data units making up

the error-detected packet, after being decoded into decoded block data units, are checked to

determine if any of those decoded block data units have been decoded normally or not. If any of

those decoded block data units of the error detected packet have not been decoded normally, then

an error concealing operation is performed on those improperly decoded block data units (of the

error-detected packet)". Though the error detection section detects an error in the packet, it is

submitted that there is however no teaching in the Specification of the judging means for judging

whether each of the plurality of decoded block data units to which the error portion corresponds

is decoded normally or not, as claimed.

5.   Claims 1-60 are allowed.

6.   Any response to this action should be mailed to:

> Commissioner of Patents and Trademarks
> Washington, D.C. 20231

or faxed to:

> (703) 872-9314, (for formal communications intended for entry)

> (for informal or draft communications, please label "PROPOSED" or "DRAFT")

> Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
> Drive, Arlington. VA., Sixth Floor (Receptionist).

7.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The
Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with
alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group customer service whose telephone number is (703) 306-0377.

Richard Lee/rl

2/4/05